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thought, emancipated themselves from that thralldom, will refuse to concede that the differentiation of the law of the Republic from that of the parent state is sufficient to justify the term. Though Professor Holland in the latest edition of his admirable treatise (noticed in the March number of this REVIEW) adheres to and justifies his definition, it has been too completely discredited by the criticisms of Sir Frederick Pollock and others to exercise any further authority over our minds. Indeed, contradicted as it is by the narrow scope of the work in which it appears, which deals only with the legal ideas of occidental states having a common history and development, it is strange that it should ever have imposed upon us. There may, then, be an Occidental jurisprudence, and, by the same token, an Anglo-American jurisprudence, and, if the latter, why not an American jurisprudence, recognizing as fundamental the peculiar constitutional system under which our legal institutions, ideas and principles are developing. That the differentiation of our legal system from that of England, or from that of Europe at large, is not complete, is surely no reason for denying effect to such differences as do exist, provided they are fundamental and inherent in the nature of our institutions and the structure of our government. The work is certainly a treatise on *jurisprudence*—dealing, that is to say, not with the body of legal rules, but with legal relations and principles. And as many of these principles and relations are peculiar to American society and American law, it is not easy to see by what other term it could be described than that adopted as the title of the book before us.

HISTORICAL JURISPRUDENCE.—An Introduction to the Systematic Study of the Development of Law. By Guy Carlton Lee, Ph. D., New York: The Macmillan Company. pp. xv, 517.

Regarded as a collection of essays on the legal systems of various ancient and modern nations, this book justifies its appearance, but not its title, nor the claims made for it by its learned author. It is not a treatise on historical jurisprudence, as that phrase is commonly understood, nor yet as it is defined by Dr. Lee, in his excellent introductory chapter—The Province of Historical Jurisprudence,—for it has little to say of the genesis of legal ideas and it makes no attempt to trace the development of those ideas in the progressive evolution of society. With the exception of an infrequent and tantalizing cross-reference—as from Babylonian baked clay to the Old Testament and Plutarch (page 27) and the too-general statement that the Persians “adopted to a large extent the Babylonian law” (page 49)—there is no attempt at a comparative study of legal ideas or institutions, nor any examination of the philosophical bases on which the various systems taken under review rest,—still less of those fundamental conceptions, common to all systems, on which human law and justice rest. Indeed the theme, as conceived by the author, is too vast to be dealt with in a volume of 500 pages otherwise than in the superficial and sketchy manner in which it is presented to us here.

On the other hand, it is to be said that this series of a dozen or more independent studies of various legal systems, from Assurbanipal to Bracton, presents clearly and succinctly the principal facts of those systems, and, taken together, constitutes a valuable and interesting record of the ever-futile, but never ceasing struggle of humanity to combine justice with the demands of a progressive society. The work evinces extensive and careful reading in more than one literature, and a considerable acquaintance with the usual sources of information (the curious statement of the preface that the text "is generally based upon original research," is obviously not to be understood in the usual sense of those terms) but displays no unusual grasp or insight into legal relations. In short, the book is not the work of a jurist, but of a historian—a competent one, it is true, with a gift for exposition and the faculty of easy narration. It will not serve the purposes of the scholar, but the professional reader will find in it abundant matter of interest and instruction.

Reviews to follow:

THE POLICE POWER OF THE STATE AND DECISIONS THEREON AS ILLUSTRATING THE DEVELOPMENT AND VALUE OF CASE LAW. By Alfred Russell, of the Detroit Bar. Chicago: Callaghan & Co. 1900. pp. xvii, 204.

CLERK'S ASSISTANT. By Austin Abbott, LL.D. Revised Edition. By Clarence F. Birdseye. New York: Baker, Voorhis & Co. 1900. pp. x., 1091.

PROBATE REPORTS ANNOTATED. Vol. IV. New York: Baker, Voorhis & Co. 1900. pp. xxxiii, 767.

AN EXPOSITION OF THE PRINCIPLES OF ESTOPPEL BY MISREPRESENTATION. By John S. Ewart, Esq. Chicago: Callaghan & Co. 1900. pp. xlvii, 548.

A BRIEF FOR THE TRIAL OF CIVIL ISSUES BEFORE A JURY. Austin Abbott. Second and enlarged edition. By the Publishers' Editorial Staff. Rochester: The Lawyer's Co-operative Publishing Company, 1900. pp. xiii, 603.

A SELECTION OF CASES ON THE LAW OF INSURANCE. Edwin H. Woodruff. New York: Baker, Voorhis & Company. 1900. pp. xiii, 591.

THE CONSTITUTIONAL HISTORY OF THE UNITED STATES. By Francis Newton Thorpe. Chicago: Callaghan & Co. 1901. pp. Vol. I, xxi, 595; Vol. II, xix, 685; Vol. III, xvi, 718.

A SELECTION OF CASES AND STATUTES ON THE PRINCIPLES OF CODE PLEADING, with notes. By Charles M. Hepburn, of the Cincinnati Bar. Cincinnati: W. H. Anderson & Co. 1901. pp. xxxvi, 651.

A TREATISE ON CANADIAN COMPANY LAW. By W. J. White, Q.C., assisted by J. A. Ewing, B.C.L. Montreal: C. Theoret. 1901. pp. xxiii, 708.